



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor: Ralph R. BINETTI, et al. Group Art Unit: 1635
Application Number: 10/738,413 Examiner: Amy Hudson Bowman
Filed: December 17, 2003
Title: si-RNA-Mediated Gene Silencing Technology To Inhibit Tyrosinase and Reduce Pigmentation

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to respond to an Official Action mailed on October 18, 2005, which set a 3 month period for responding. The abandonment date of this application is January 19, 2006 (*i.e.*, the day after the expiration date of the period set for reply plus any extensions of time obtained therefor).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity - fee \$_____ (37 CFR §1.17(m)).
☐ small entity statement enclosed herewith.
☐ small entity statement previously filed.
☒ Other than small entity - fee \$ 1,500.00 (37 CFR §1.17(m)).

2. Reply and/or fee

- ☒ A. The reply and/or fee to the above-noted Office action in the form of a response under 37 C.F.R. §1.111 (identify the type of reply):
☐ has been filed previously on _____.
☒ is enclosed herewith.

USSN: 10/738,413

Ref. No. SC66U-US

PATENT

Docket No.: 3584-4047

- [] B. The issue fee of \$ _____
[] has been paid previously on _____.
[] is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

[X] Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

- [] A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ ____ for other than a small entity) disclaiming a period equivalent to the number of months from the date of abandonment to the filing of this petition is enclosed herewith.

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

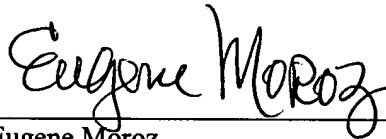
5. The Commissioner is hereby authorized to charge the fee of \$ 1,500.00 required for this petition to Deposit Account No. 13-4500, Order No. 3584-4047. A DUPLICATE OF THIS SHEET IS ATTACHED.

6. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or any of the accompanying papers, to Deposit Account No. 13-4500, Order No. 3584-4047. A DUPLICATE OF THIS SHEET IS ATTACHED.

Respectfully submitted,

Dated: June 2, 2006

By:



Eugene Moroz

Registration No. 25,237

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101

(212) 415-8700 Telephone
(212) 415-8701 Facsimile